

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill Number: SB 75

51st Legislature, 1st Session, 2013

Tracking Number: .190043.1

Short Title: Healthy School Lunch Rules

Sponsor(s): Senator Linda M. Lopez

Analyst: James Ball

Date: February 14, 2013

Bill Summary:

SB 75 requires that the Public Education Department (PED) rules for school lunch programs provide:

- minimum nutritional standards for all lunches served, including amounts of:
 - calories;
 - saturated and unsaturated fat;
 - sodium;
 - sugar;
 - fiber; and
 - vitamins and minerals.
- that New Mexico-grown fresh fruits and vegetables be a part of all school lunch programs; and
- that food be purchased from New Mexico vendors where feasible.

Fiscal Impact:

SB 75 does not contain an appropriation.

Substantive Issues:

According to PED, the agency has not promulgated state rules that govern the National School Lunch Program (NSLP) because state and local education agencies and school food authorities are required to follow US Department of Agriculture (USDA) regulations pertaining to NSLP. Failure to follow the USDA regulations could result in forfeiting eligibility to receive reimbursements for lunches served.

PED also notes that USDA's new meal pattern is implemented under the *Healthy, Hunger-Free Kids Act of 2010*, which went into effect July 1, 2012. The new meal pattern requirements for lunches contain the same categories for standards as those specified in SB 75. In addition, the same meal pattern requirements also indicate that New Mexico-grown fresh fruits and vegetables must be included in the state's school lunch programs.

Background:

The Department of Health (DOH), analysis of SB 75 states that USDA regulations require most schools to:

- increase the availability of fruits, vegetables, whole grains, and fat-free and low-fat fluid milk;
- reduce the levels of sodium, saturated fat, and trans fat; and
- meet the nutritional needs of school children within total calorie requirements.

These improvements to the school meal programs, largely based on recommendations made by the Institute of Medicine of the National Academies, are expected to enhance the diet and health of school children and help mitigate the national childhood obesity trend.

Finally, PED further notes that New Mexico currently receives approximately \$2.0 million annually from the USDA to administer the Fresh Fruits and Vegetables program within the school meal programs. There are no requirements under federal law restricting the origin of the produce.

Committee Referrals:

SEC/SPAC

Related Bills:

SB 76 *NM-Grown Produce in School Lunches*

SB 80a *NM-Grown Produce in School Meals*

HB 59 *School Meal Program Commodities Deliveries*